

“(2) if, at any time, no Senator seeks recognition on the floor, it shall be in order for the Majority Leader to put the question on cloture as long as any applicable filing deadline for first degree amendments has passed.”; and

(2) inserting after the fifth undesignated subparagraph (after the amendment by paragraph (1)) the following:

“If, at any time after cloture is invoked on an executive nomination or a motion to proceed, no Senator seeks recognition on the floor, it shall be in order for the Majority Leader to put the question on which cloture has been invoked.”.

SENATE CONCURRENT RESOLUTION 1—TO PROVIDE FOR THE COUNTING ON JANUARY 4, 2013, OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. REID of Nevada (for himself and Mr. McCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 4th day of January 2013, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter “A”; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

SENATE CONCURRENT RESOLUTION 2—EXTENDING THE LIFE OF THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. REID of Nevada (for himself and Mr. McCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2013, the joint committee created by Senate Concurrent Resolution 35 (112th Congress), to make the

necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2013, the provisions of Senate Concurrent Resolution 36 (112th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

SENATE CONCURRENT RESOLUTION 3—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID of Nevada (for himself and Mr. McCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, January 4, 2013 through Monday, January 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, January 21, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, January 4, 2013, through Saturday, January 5, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, January 14, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate, at 1:08 p.m., recessed subject to the call of the Chair and reassembled at 4:08, when called to order by the Presiding Officer (Mr. SANDERS).

EXECUTIVE COMMUNICATIONS—ASCERTAINMENT OF THE ELECTORS FOR PRESIDENT AND VICE PRESIDENT

The PRESIDING OFFICER. The Chair lays before the Senate communications from the Director of the National Archives, transmitting, pursuant to the law, certified copies of the final ascertainment of the electors for President and Vice President, which are ordered to lie on the table.

The majority leader.

ORDERS FOR FRIDAY, JANUARY 4, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 12:30 p.m. tomorrow, Friday, January 4, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate recess for the joint session for the counting of electoral votes to elect Barack Obama President.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, Senators will gather at 12:45 p.m. tomorrow to proceed together to the joint session.

RECESS UNTIL 12:30 P.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate recess under the previous order.

There being no objection, the Senate, at 4:09 p.m., recessed until Friday, January 4, 2013, at 12:30 p.m.

NOMINATIONS RETURNED TO THE PRESIDENT

Thursday, January 3, 2013

The following nominations transmitted by the President of the United States to the Senate during the 112th Congress, and upon which no action was had at the time of the adjournment of the 112th Congress, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

WALTER G. SECADA, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING MARCH 3, 2016.